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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,652	03/29/2004	Christopher D. Coc	042390.P17866	3418
59796	7590	05/30/2007		
INTEL CORPORATION c/o INTELLEVATE, LLC P.O. BOX 52050 MINNEAPOLIS, MN 55402			EXAMINER SITTA, GRANT	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 05/30/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/812,652	<b>Applicant(s)</b> COE ET AL.	
	<b>Examiner</b> Grant D. Sitta	<b>Art Unit</b> 2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The use of the trademarks Gateway®, Microsoft®, Windows® has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

### ***Claim Objections***

2. Claim 21 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 18. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Graczyk et al (US 6,628,340) hereinafter, Graczyk.

5. As to claim 1, Graczyk teaches an apparatus, comprising:

a control panel (Fig. 1 (52), remote controller) for a computing platform (Fig. 3 (24), col. 2, lines 39-55 "personal computer") said control panel (remote controller (52)) having at least one control button (Fig 1 (52) buttons on remote, col. 10, lines 56-70) to control an operation of a computing platform (col. 4 lines 40-50 "The user may control operations of the host computer..."); and

a general purpose input/output circuit (Fig. 1 (50)) to couple to the control button (Fig 1 (52) buttons on remote, col. 10, lines 56-70) of said control panel (Fig. 1 (24));

wherein actuation of the at least one control button (Fig 1 (52) buttons on remote, col. 10, lines 56-70) causes said general purpose input/output circuit (Fig. 1 (50)) to execute the operation via a human interface device (Fig. 1 (52)).

6. As to claims 2 and 17 Graczyk teaches the operation can be executed without utilizing a universal serial bus controller (Fig. 48, (602), (604) (606)).

7. As to claims 3, 18, and 21, Graczyk teaches where the control button includes at least one of a brightness control button, a volume control button or a power control button (Fig. 4, (272), col. (10) lines 56-67).

8. As to claims 4, and 19 Graczyk teaches wherein actuation of the at least one control button (Fig 1 (52) buttons on remote, col. 10, lines 56-70) causes a human interface device report (col. 10, lines 30-38, ""reports this information to 8742 programmable 8-bit processor") to be generated within the computing platform (Col. 2, lines 39-44).

9. As to claim 5, Graczyk teaches a computer platform including a television tuner (Fig. 1 (46)) to receive a television signal (Fig. 1 (62)), the control button (Fig 1 (52) buttons on remote, col. 10, lines 56-70) of said control panel (Fig. 1 (52)) to control function of the television tuner (Fig. 1(46), Fig. 3, col. 8, lines 47-58).

10. In regards to claims 6 and 11, Graczyk teaches monitoring a status of at least one pin of a general purpose input/output circuit to detect an actuation of the pin (Fig. 4 (262), col. 11, lines 5-12);In the event an actuation of the pin of the general purpose

input/output circuit generated by the human interface device report (Fig. 4 (262), col. 11, lines 5-12); and In repose to the report executing a control function (Fig. 4 (262), col. 11, lines 5-12).

11. In regards to claims 7 and 12, Graczyk teaches where the monitoring includes calling an advanced configuration power interface control to obtain a status of the at least one pin of the general purpose input/output circuit. (Fig. 3 (262), col. 11, lines 5-12).

12. In regards to claims 8 and 13, Graczyk teaches in the even that an actuation is not detected, waiting for a predetermined time, and the again executing a calling (Fig. 3 (262), col. 11, lines 5-12, "constantly sampling");

13. In regards to claims 9 and 14, Graczyk teaches where in executing is performed by an operating system without utilizing a controller. (col. 5, lines 40-50, "keyboard 34 or mouse 36")

14. In regards to claims 10 and 15, Graczyk teaches where the executing includes controlling at least one of a brightness control function, a channel control function, a volume control function, or a power control function (Fig. 4, (50), col. (10) lines 56-67).

15. In regards to claim 16 Graczyk teaches a receiver (Fig 1 (46) or (48)) to receive a multimedia signal ((68) or (62)) broadcast from a remote source, and a decoder (Fig 3. (190) to decode the multimedia signal ((68) or (62));

A control panel (Fig. 1 (52)) for a computing platform (Fig. 3 (24), col. 2, lines 39-55 "personal computer") said control panel having at least one control button (Fig 1 (52) buttons on remote, col. 10, lines 56-70) to control an operation of a computing platform; and

A general purpose input/output circuit (Fig. 1 (50)) to couple to the control button (Fig 1 (52) buttons on remote, col. 10, lines 56-70) of said control panel (Fig. 1 (24));

Wherein actuation of the at least one control button (Fig 1 (52) buttons on remote, col. 10, lines 56-70) causes said general purpose input/output circuit (Fig. 1 (50)) to execute the operation via a human interface device (Fig. 1 (52)).

16. In regards to claim 20, Graczyk discloses a display to display the multimedia signal (Fig. 1 (26)).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Newlin (US 5,636,211); Brusky (US 6,111,569); Hulvey (US PGB 2003/0197677); Young (US 6,963,935); Hayes (US PGB 2003/0189509); Saint-Hilaire (US PGB 2003/0101294); Qureshey (US 2002/0072326); Sharood (US 2001/0025349);

Mishra (US 2001/0005197); Edson (US 6,526, 581); Kittirutsunetorn (5,051,720); Huang (US 2004/0070491); Roelofs (US 2001/0053274); Perkes (US 6,373,503); Smith (US 2004/0218104); Gruss (EP 1,329,814);

### **Inquiry**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grant D. Sitta whose telephone number is 571-270-1542. The examiner can normally be reached on M-F 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on 571-270-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Grant D. Sitta



XIAO WU  
SUPERVISORY PATENT EXAMINER